

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**

TERESA ANN THOMPSON, individually,)
and as Special Administer of the Estate of)
WINFIELD THOMPSON, SR., Deceased,)
and the ESTATE OF WINFIELD)
THOMPSON, MELISSA PROCHNOW)
AND JAMIE HELGESON, as Special)
Administrator(s)/Personal Representative(s))
of the Estate of Nicholas Helgeson and the)
ESTATE OF NICHOLAS HELGESON,)

Plaintiffs,

V.

WILLIAM HARRIE and THE NILLES LAW)
FIRM, aka NILLES, SELBO & HARRIE,)
LTD. and NODAK INSURANCE)
COMPANY (fna NODAK MUTUAL)
INSURANCE COMPANY), and NODAK)
MUTUAL GROUP, INC., a Mutual Holding)
Company and N.I. HOLDINGS, INC. (An)
Intermediate Stockholding Company),)

Defendants.

Case No. 4:19-cv-04023-LLP

**MOTION TO DISMISS PURSUANT
TO FED. R. CIV. P. 12(b)(6)**

Defendants William Harrie and the Nilles Law Firm, aka Nilles, Selbo & Harrie, Ltd. (hereinafter referred to collectively as “the Lawyer Defendants”), through their undersigned attorneys, move to dismiss all claims asserted against them in Plaintiffs’ Amended Complaint (Doc. 1) pursuant to Fed R. Civ. P. 12(b)(6). This motion is supported by the Brief in Support of Motion to Dismiss for Failure to State a Claim, Motion for Judicial Notice, and Affidavit of Jason R. Sutton Dated February 8, 2019, filed contemporaneously with this motion.

Based on the foregoing, the Lawyer Defendants respectfully request an order dismissing all claims asserted against it pursuant to Fed. R. Civ. P. 12(b)(6).

Dated this 8th day of February, 2019

/s/ Jason R. Sutton

Thomas J. Welk

Jason R. Sutton

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